



**SPECIAL MEETING OF THE COMMON COUNCIL  
MIDDLETOWN, CONNECTICUT  
AUGUST 30, 2011**

<b>Special Meeting</b>	A special meeting of the Common Council of the City of Middletown was held in the Council chamber of the municipal building, on Tuesday, August 30, 2011 at 7 p.m.
<b>Present</b>	Deputy Mayor Joseph E. Bibisi, Council Members Thomas J. Serra, Ronald P. Klattenberg, Philip J. Pessina, Robert P. Santangelo, James B. Streeto, Grady L. Faulkner, Jr., David Bauer, and Daniel Drew; Corporation Counsel William Howard, Sergeant-at-Arms Acting Chief of Police Patrick McMahon, and Council Clerk Marie O. Norwood.
<b>Absent</b>	Mayor Sebastian N. Giuliano, Council Members Gerald E. Daley, Hope P. Kasper, Deborah A. Kleckowski, and.
<b>Also Present</b>	No members of the public
<b>Meeting Called to Order</b>	The Deputy Mayor calls the meeting to order at 7:04 p.m. and asks Councilman Klattenberg to lead the public in the Pledge of Allegiance.
<b>Call of Meeting Read</b>	The Call of Meeting was read and accepted. Deputy Mayor Bibisi declares the Call a Legal Call and the Meeting a Legal Meeting.
<b>Public Hearing Opens</b>	The Acting Chair opens public hearing on the bond at 7:05 p.m. and asks if any members of the public wish to address the bond for \$550,000 for Kings and Clinton Avenue parking.
<b>Public Hearing Closes</b>	The Acting Chair, seeing no members of the public wishing to address this issue, closes the public hearing at 7:06 p.m.
<b>Workshop Opens</b>	<p>The Acting Chair opens the workshop at 7:06 p.m.</p> <p>Personnel Director Milardo states she put together information on the proposed elimination of Weights and Measures and Consumer Protection and it includes a copy of a report on issues concerning Consumer Protection and ADA and it goes to the Director of Parks and Recreation and who is being assigned additional duties. The anticipated savings for elimination and reassignment of duties is over \$108,000 and includes elimination of the department head salary and benefits and shows a transfer of the secretary to the Senior Center and the Veterans Council expenses went to Parks and Recreation with the line item. With the retirement of the Consumer Protection Director and the Municipal Agent and that position is required as ombudsmen for senior citizens and it is best to give the assignment to an employee and give a temporary upgrade. They upgraded for only \$7,500 and there is additional savings by having additional staff do those duties and functions. ADA calls go to the Administrative Clerk working out of the Senior Center; the calls are multifaceted. Under the State Statute, the chief building official has the authority for infrastructure and it has always been the primary role and the only person who has legal authority even with a department head handling ADA. They will go there. All ADA difficulties went to the City Attorney's office. They are being triaged through that office. The ADA Coordinator required by law has always been the Personnel Department. They may have passed through the Director, but they have ultimately ended up with the Department of Personnel. The main area is external matters concerning ADA concerns, the calls from the public that don't fall under the categories I mentioned to you. The Administrative Secretary is triaging those calls and in the beginning there was a high volume of inquiry and what are you doing and the last report shows no calls for ADA, but consumer protection calls. Similar municipalities do not have a Department of Consumer Protection or Weight and Measures; they have been handed over to the State of Connecticut.</p> <p>A couple of possibilities might be assigning someone from building to sit on the Committee Concerning People with Disabilities. They take the lion share of calls and we do have a person to do that. It is thought to have the Human Relations Director assist in that function. That is two viable options. She would have to look at job ratings and is not sure picking up one committee would be an increase in salary and that is for the Director of Human Relations. She needs to look at the numbers. If you did assign the duties to Building, it would increase the part timer's duties and may give them full time status and if the current Administrative Secretary stays at the Senior Center and doing the Consumer Protection questions; if it should, the job could go part time. We are hindered by a no layoff clause and the individual can retire. For other retirees, we let them retire, but let them come back for the 19 hours and then you only are assuming one benefit package. That is the main question to be answered for</p>

ADA.

The other aspects of the department are simple. No town that we surveyed has a Department of Consumer Protection; calls are taken in by the 1<sup>st</sup> Selectman's or Mayor's Office and sent to the State of Connecticut. We can continue to do triage work and guide and provide information to the public by utilizing support staff, with the option to reducing the job to part time. That is an additional savings of about \$15,000. The other portions that are part of the job are Weights and Measures and they don't exist in any town. It is under the State. This is a duplicate service offered by the State. Veterans affairs was an interesting portion of this job and the retiree was highly knowledgeable but it was not a function of their job; he picked it up and ran with it and the former incumbent said he would take on the duties as a volunteer through the Legion's office. He helps and assists veterans. Monuments and greens, the portion was to provide supplies for the veterans; it was not to restore or maintain any monuments. That is being done by the Parks Department. It is the same work and no additional costs and you can transfer the line item to an appropriate department and the appropriate department is within Parks and Recreation and they would assist the purchasing of materials. The Municipal Agent came on the heels of this retirement and the State Statute said you can purchase a municipal agent or have existing staff pick up those assignments at a cost that is more effective. Even though it is not part of the department, it does segue into the department.

The proposal is the full elimination of the department and the finalization of the Community Services Department when Eckersley Hall is done; you would move forward with this department. You already have this department working and it has not been finalized for over three years. That Department of Community Services would be Parks and Recreation and include seniors and an additional cost would come in with a senior center coordinator and that may be a new hire or utilizing existing staff. Consumer protection will continue with this department, Legal will maintain legal issues and Personnel with those issues and Parks with infrastructure. The question is handling the Committee Concerning People with Disabilities and where it should reside. Director Milardo states she will respond to questions

Acting Chair Bibisi asks as you know I have used the consumer protection agency a number of times and the former director found money to replace a furnace for an elderly woman. He was a public advocate and will we have the same response. He used him for veteran problems. He was a go to guy. How will the public know who to go to. Ms Milardo responds education. You have the option of maintaining the department. She states through the media; if you eliminate the department as it exists today and there will be multi divisions with multiple responsibilities, it is educating the community. We have the administrative support staff and that person is clearly knowledgeable about agencies, services and grants. We can retain that and it is doing business a different way and cost effectively. We should make sure the public is aware of the three options; veterans would contact the same person through the American Legion. Acting Chair Bibisi asks about the qualifications being certified for ADA. Ms Milardo responds there is no certification; it is knowledge. I can't answer a question on a building ramp, I can answer an employment related ADA question. I do that already. John Parker could not answer an employment question, but he can answer questions regarding infrastructure. You have individuals here who have performed the tasks. The major issue is how you are going to handle the Committee that is an outside entity; who will be staff and what department is best suited to meet the needs of the community. She raised a couple of options regarding utilizing Human Relations; that department manages the Jones Fund, Fair Housing and they manage the affirmative action and the policies regarding it within the City and there seems some logic in utilizing them. There is logic in using the building department. Acting Chair Bibisi states the only obstacle he sees is the education part. Ms Milardo responds you will be doing business in a completely different way. We have maintained the same phone number and support staff and she has been providing a phenomenal service. The calls are coming in and managed and sent out to the appropriate department. They have not missed a beat in helping the community.

Councilman Streeto asks would it be feasible to give one person an overarching title even if the issues may be farmed out to people in other departments. We have a City Attorney and someone is thinking about where the first call should be, that is probably where they would call. Ms Milardo responds if that is the direction of the Council and the individual you see have the job description modified and changes, they would have to look at the rating and she doesn't believe it would cost more dollars, but would have to check and if the individual is Unionized, they would have to discuss this with the Union. Councilman Streeto states Phil is more or less irreplaceable and there is some sympathy to have one person where the buck stops and if that is viable, he is glad to hear it. He states an alarming point in this report, July 18, he notes, 3 veterans issue, pending WWII issues. Ms Milardo responds that is a mistake.

Councilman Klattenberg states he has two issues. He sees the job of the ADA coordinator and he looked at the weekly report and looked at the 3 week report; developers are calling, seniors are calling, contractors and complaints. There is a great need for someone actually to be the ADA coordinator so there is no misunderstanding who to go to. Your plan loses the advocacy group. Knowing who that person is to air the issue and then go to the resources of the City. Your plan has merit and the weakness is this. Ms Milardo responds these are just options and the Council is the sole agency for eliminating, modifying departments and job descriptions. Where you are going is viable; it is reasonable to assume one person named as ADA and acknowledging that for example your chief building official was always the person to go to regarding those matters. If you have someone who will follow the complaints, that is viable and you are not too far off the money. There are still things you need to look at which is transferring veteran supplies, the municipal agent, the admins staff. We have to look at what we are going to do. They are difficult because you are talking about moving staff around and there is the option for the staff remaining with the least amount of impact to that staff and to the Council's credit that has been a focus of yours.

Councilman Klattenberg states there are consistencies with some of the towns and some don't have an ADA coordinator, there is a director of human services. Ms Milardo responds keep in mind is the federal law states as an employer of more than 50, you have to have someone for workforce and EEO as your coordinator and that has been a function of Personnel. My office does not handle other issues in terms of contractor issues or egress or sidewalk and that is not what we have done and when you see a designated ADA coordinator, they have it for employment laws. Middletown expanded that and we had a Department of Consumer Protection for 15 years longer than any other city. Councilman Klattenberg states the job description for elder services. Ms Milardo responds it is the same as municipal agent and the job description for elderly services specialist that was the job description that was created and the employee worked under. That issue needs to be addressed. We have staff at the Senior Center working in that function, but we have a lot of acting in Parks and Recreation, Senior Services and we hope we can get to the point of the Department of Community Services. Councilman Klattenberg states the municipal agent duties and responsibilities are they embedded in the elderly services specialist. Ms Milardo responds yes for \$16,000

Councilman Serra states Weight and Measure and Welfare were taken over by the State in 1994 and he and the Council gave over those issues to Phil along with Consumer Protection and ADA. He believes there should be an ADA coordinator and the municipal agent and you have a good one here. A job description with the municipal agent and the ADA coordinator would fit the bill. Councilman Bibisi was talking about what Phil did and he was the gatekeeper of complaints and facilitated them and he worked with him when he was at Vinal. I think this Council would request from you a tentative job description with that some time in the future. One that covers municipal agent and ADA and one job description could be part time and one could be full time so we can look at them. He believes Councilman Bibisi and Councilman Klattenberg are right and they need a gatekeeper. If there is no objection, he would like to request it of the Personnel Director. He asks if she could do that. Ms Milardo states that is not a problem and they have Personnel Review scheduled and she asks if they are taking the first vote on the elimination at the September meeting. Councilman Serra responds yes. Ms Milardo states the Personnel Review Committee meets on the 13<sup>th</sup> and the second vote would be later. She asks if it is one job or two. Councilman Serra responds one. Ms Milardo states then you would look at the department it would go under. Councilman Serra and other members yes. Someone announces September 13 is the day of the primary so it will need to be changed. Ms Milardo asks Councilman Serra to facilitate a response about a new date. Councilman Serra replies yes.

Councilman Pessina agrees with Councilman Serra; he thinks it needs to be done and after listening to you and reviewing what you have given to us, the individual is going to call and is expecting someone like Phil and they lay an issue or challenge out to him and he facilitated a solution to it and what he is looking at, he doesn't see why or see this position under Park and Recreation. He sees it under Human Relations. They do the Jones Fund, affirmative action and fair housing; there is no reason not to bring that person under there and the director with proper training could do this. If questions deal with building, it goes to building; employment, goes to you. It makes more common sense that Human Relations, if I have an issue with ADA, I think in those lines and not Parks and Recreation. That is an avenue of leisure and I know they have senior affairs. If the services department gets put together, he sees it with Human Relations. It is frustrating for people to look at the numbers and get jostled around. It started and stopped with Phil and if he didn't know the answer, he found it. He strongly suggests that that be looked at instead of Park and Recreation. He agrees with Councilman Bibisi that public advocacy is necessary. When we eliminate a department we need to look beyond us and

the departments and how it will benefit the community. Besides monetary benefits, how does it benefit the community. He hopes in looking at this, we would have a workshop or a chance for the public to come in and give ideas on how the department should look. They are a stake holder. We should reach out to the community and bring in the stakeholders to the table and say this is what we think we would like to do. He would feel more comfortable that it was truly vetted in the community and the sections of community who would look at it and give us new avenues to discuss. If we present this to the residents, then they have to be part of the process and nothing works successfully if we don't include the stakeholders to help and direct us into what we need to develop and then give them in return. If we don't give them the avenue and a direct conduit, then we have a problem. You did a great job, but we need to look at this. Ms Milardo states an option to what Councilman Serra said, if you want to focus in on Human Relations, then you would be expanding a director's jobs duties. You already have administrative support person who has been doing this job and that person would be reassigned with some additional duties of municipal agent and if you look at that the \$108,000 cost savings is still there. You are then utilizing the resources you have and paying for and you are only reconstituting job descriptions and she believes that is what Councilman Serra was saying.

Councilman Faulkner states you mentioned that we are required to have the municipal agent and we could purchase one or pick one up. Ms Milardo responds you can designate an outside agency and there have been inquiries from various organizations in becoming the City's municipal agent. You can purchase an individual for under 19 hours a week for the \$16,000 and that is the way we have processed that in the past or you can reassign duties to existing staff and it will be an upgrade but that would only cost \$4,000-\$5,000. An outside agency will not do it for free and may cost more. It is better to hire someone or utilize current staff. Councilman Faulkner states he would be interested in that and he was curious about the multiple non profits who do this type of work. You answered questions about Human Relations and wondered about the work load and they would need more staff. Ms Milardo states the main component would be administrative staff and if we can move that person over to do ADA and municipal agent work, it should not put too much additional burden on a two person operation. Councilman Faulkner asks how well is the State doing with the obligations. Have they been fulfilling their obligations. Ms Milardo replies there is no way to gauge that. Weights and measure has been their sole discretion since 1994. We are the only municipality that retained that and the same holds true with consumer protection. We provided a service a little longer than other towns and cities and now we face the decision by following suit and maybe can still do it better by having a point person. That would put us above what other services other municipalities provide. Councilman Faulkner asks if other cities use automation, call in services that ran people through a menu to forward to an appropriate agency. Ms Milardo states she has no idea. Councilman Faulkner states the committee; where does it come into play. Ms Milardo responds there is a committee constituted by the Council and it is comprised of citizens and they address and hear issues that affect members of the community that are disabled. The former director has been the staff and that is one area of outreach to the community that needs to be vetted. She is aiming for October and will hold a committee meeting, but she can't do it each month and it needs to be moved into another department. Councilman Faulkner states the current chief building official is the ADA official for the City and how did the person work with Phil and are they strictly building. Ms Milardo replies correct. The chief building official deals with infrastructure only; that is under their jurisdiction under the general statutes. The former director may have received the calls, but that is the only individual that can enforce and take action and that continues.

Councilman Santangelo states listening to what was said, there were a lot of good ideas. He states Councilman Bibisi peeked his interest and the kind of person who can do this work and what you are describing, it is similar to case management. The experience developed the job skills. There is no book or course you take and it is the practice of doing it. The person who can do this is the administrative staff. Phil came to the City as one of the most respected and knowledgeable ADA coordinators and getting someone from outside, they should get someone who has been doing social services. We have resources and personnel to do this. We should look at the model, full or part time based on our need. One way to look at this when he leaves and it continues to work well, then it is being done well. My recommendation is to get a person with the most case management experience and requires a lot of things you don't think about. We have to think about the direction and the type of person – someone who is willing to learn and has some knowledge and the social services may be the connection to have the skill they are talking about. He is hearing a lot of good thoughts and we should move forward and take into consideration what we are looking for. We will have to talk about a lot of the issues. Ms Milardo states there are viable options along the theme she has heard tonight. She will get some direction from the Personnel Review Commission and the luxury is 90 days after your first vote and sets the wheel in motion and I can go to the unions and discuss the elimination of the department and there may or may not be

impact with the unions and the modifying job descriptions or creating a new one. Modifying job descriptions will mean union discussions. She has begun discussions with 466 regarding the employee. There is time to look at options and make a final decision.

**Workshop Closes**

Acting Chair Bibisi thanks her for her dedication to the issue. The Acting Chair asks if there are other members wishing to speak. He closes the public hearing at 8:03 p.m.

**Motion to Adjourn**

The Acting Chair asks for a motion to adjourn. Councilman Bauer so moves and is seconded by Councilman Pessina. The vote is called and it is unanimous to adjourn. The Acting Chair declares the meeting adjourned at 8:03 p.m.

ATTEST:

MARIE O. NORWOOD  
Common Council Clerk